

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RAYDALE R. MITCHELL,

Petitioner,

v.

ORDER

UNITED STATES OF AMERICA,

14-cv-473-jdp
11-cr-83-jdp

Respondent.

On October 31, 2016, I dismissed petitioner Raydale Mitchell's motion for postconviction relief under 28 U.S.C. § 2255. Mitchell has not formally moved for *in forma pauperis* status, but he has not paid the filing fee for this appeal. Therefore I construe his notice of appeal as including a request for *in forma pauperis* status, which I will grant because this court previously granted him IFP status in his direct appeal. *See* case no. 11-cr-83-jdp, Dkt. 52.

I will not certify that Mitchell's current appeal is taken in bad faith or find that there is any other reason to preclude him from proceeding *in forma pauperis* on appeal. Accordingly, Mitchell's request for leave to proceed *in forma pauperis* on appeal is granted.

ORDER

IT IS ORDERED that petitioner Raydale Mitchell's motion for leave to proceed *in forma pauperis* on appeal, Dkt. 14, is GRANTED.

Entered March 20, 2017.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge